

**TOWN OF ABINGDON
COUNCIL WORK SESSION MEETING
SATURDAY, OCTOBER 25, 2008 – 8:00 A.M.
MUNICIPAL BUILDING DOWNSTAIRS MEETING ROOM**

A work session meeting of the Abingdon Town Council was held on Saturday, October 25, 2008 at 8:00 a.m. in the downstairs meeting room of the Municipal Building.

Vice Mayor Morgan called the meeting to order and welcomed everyone.

A. ROLL CALL

Members of Council Present: Mr. Edward B. Morgan, Vice Mayor
 Dr. French H. Moore, Jr.
 Mrs. Cathy Lowe
 Jason N. Berry

Absent: Mayor Humphreys

Administrative Staff: Gregory W. Kelly, Town Manager
 Cecile M. Rosenbaum, Town Clerk
 Deborah Icenhour, Assistant Town Attorney
 Jim Smith, Town Engineer/Dir. Of Wastewater Operations
 Garrett Jackson, Dir. of Planning
 Jim Hicks, Dir. of Safety/Human Resources

Visitors: Sam Brown and Mike Owens

B. Presentation on Employee Health and Dental Insurance Coverage.

Sam Brown, Insurance Consultant, addressed the Council members about the health insurance status for Town employees. Mr. Brown provided a handout and reviewed statistics of the Town's group. Mr. Brown commented that the Town had had a better year this year than last year with respect to claims but emphasized that is always subject to change. Mr. Brown noted that the Town groups largest health issues were smoking and obesity.

Mr. Brown introduced the idea of a health insurance plan called an HSA (Health Savings Account). He recommended to the Council that they consider bidding out an HSA, after January 1st, and offer two (2) types of health plans to employees in the FY 09/10 budget. The Council discussed the specifics of the HSA at length with Mr. Brown and indicated that he should proceed, in conjunction with the Town's Director of Human Resources, with bids for this type of health plan after January 1st 2009.

No formal action was required by Council on this matter.

C. Review and consideration of recommendations pertaining to the Stormwater Management Report as submitted by Clay Hodges.

Jim Smith, Town Engineer and Dir. of Wastewater Operations, explained that Clay Hodges had contacted him late on Friday evening to indicate that he was not able to attend the work session because of illness.

Mr. Smith addressed the Council and presented pictures of targeted areas in Town where flooding has occurred in the past. Mr. Smith provided information about recommendations that had been made in years past of how to handle the flooding issues and indicated that some of them exceeded realistic improvements that the Town would be in a position to consider.

The Council reviewed the recommendations provided by Mr. Hodges in his letter dated October 6, 2008 and discussion ensued regarding how the Council wished to proceed on the matter.

At this time, Mrs. Lowe made a motion, with a second by Mr. Berry, to direct Town staff to proceed with the recommendations as listed by Clay Hodges in his October 6th letter and to begin a dialogue with Washington County Board of Supervisors regarding flooding concerns. Discussion ensued and Mrs. Lowe withdrew her motion and Mr. Berry withdrew his second. The motion died.

Jim Smith informed the Council that the funds in the current Town budget for watershed study had been designated for the remainder of the fiscal year. Mr. Smith also indicated that Robert Baker with DCR had resigned his position and the vacancy had not yet been filled.

On motion of Mrs. Lowe, seconded by Mr. Berry, the Council authorized Town staff to prepare a letter to the Corps of Engineers, in conjunction with Congressman Rick Boucher, regarding their intent to request study assistance through the PAS (Planning Assistance for States) program.

The roll call vote was as follows:

Mr. Berry	Aye
Mrs. Lowe	Aye
Dr. Moore	Aye
Mr. Morgan	Aye

The motion carried.

Vice Mayor Morgan thanked Mr. Smith for his work on the watershed study.

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**D. Lunch** – The Council took a brief recess for lunch.

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E. Consideration of providing tax credits to historic property owners who do upgrades to their property.

October 25, 2008

Mike Owens, Chairman of the Board of Architectural Review, appeared before the Council members to request their consideration in providing tax credits to property owners in the historic district who do upgrades to their property. Mr. Owens explained that the BAR feels that this incentive will encourage property owners to renovate and update their homes and in the long run benefit the Town with increases in property values. Mr. Owens explained that there is already a 20% federal tax credit and a 25% state tax credit in place. Mr. Owens further explained that this incentive may encourage residents to follow the historic guidelines more closely and eliminate the need for notices of violation.

Dr. Moore questioned the loss of revenue that the Town might experience and Mrs. Lowe questioned expansion of the tax credit outside of just the designated historic district.

It was the consensus of the Council members that the BAR investigates other localities that have provided the tax credit to inquire about tracking and also asked that they contact County Treasurer, Fred Parker for his ideas on the impact to the tax ticket system. They indicated that the BAR could come back in the future with a proposal for further consideration on the matter.

No formal action was required by Council on this matter.

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At this time, Vice Mayor Morgan asked that the Council members review the proposed changes to the County's comprehensive plan. Garrett Jackson, Director of Planning, advised that the changes to the plan had just been received by the Town on Friday, the day before, and a public hearing before the County Planning Commission was set for Monday, October 27<sup>th</sup>. Mr. Jackson indicated that he had not had time to review the proposed changes in detail but told the Council members that his brief overview had alerted him to a few items that he would like for the County considers before finalizing the changes.

**On motion of Dr. Moore, seconded by Mrs. Lowe, the Council directed that Garrett Jackson, Director of Planning, draft a letter to the Washington County Planning Commission requesting postponement of their October 27<sup>th</sup> public hearing regarding proposed changes to the County's comprehensive Plan until such time as the Town of Abingdon Planning Commission can review the proposed changes and submit recommendations to the Abingdon Town Council members.**

**The roll call vote was:**

|                   |            |
|-------------------|------------|
| <b>Mr. Berry</b>  | <b>Aye</b> |
| <b>Mrs. Lowe</b>  | <b>Aye</b> |
| <b>Dr. Moore</b>  | <b>Aye</b> |
| <b>Mr. Morgan</b> | <b>Aye</b> |

**The motion carried.**

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F. Consideration of property issue raised by Todd Hargroves owner of property on Summers Street in the Town of Abingdon.

On motion of Mrs. Lowe, seconded by Dr. Moore, and pursuant to Sec. 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, the Council went into closed session to consult with legal counsel regarding pending or threatened litigation regarding property damage issues alleged by Todd Hargroves.

The roll call vote was:

Mr. Berry	Aye
Mrs. Lowe	Aye
Dr. Moore	Aye
Mr. Morgan	Aye

The motion carried.

On motion of Mrs. Lowe, seconded by Mr. Berry, the Council reconvened in regular session.

The roll call vote was:

The roll call vote was:

Mr. Berry	Aye
Mrs. Lowe	Aye
Dr. Moore	Aye
Mr. Morgan	Aye

The motion carried.

The following certification was adopted:

***WHEREAS**, the Council of the Town of Abingdon, Virginia has convened in a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions set forth in the Virginia Freedom of Information Act; and*

***WHEREAS**, Sec. 2.2-3712(D) of the Code of Virginia, 1950, as amended, requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law; and*

***NOW THEREFORE**, be it resolved, that the Council of the Town of Abingdon, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from an open meeting requirement by Virginia law were discussed in closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.*

The certification was as follows:

Mr. Berry	I so certify
Mrs. Lowe	I so certify
Dr. Moore	I so certify
Mr. Morgan	I so certify

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**On motion of Mrs. Lowe, seconded by Dr. Moore, the Council directed Assistant Town Attorney, Deborah Icenhour, to contact Mr. Hargroves and inform him that they have reviewed the information from the Town's insurance carrier regarding his claim and that they see no liability on the part of the Town for alleged damages to his property located at 482 Summers Street, Abingdon, and they consider the matter concluded.**

**The roll call vote was:**

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|-------------------|------------|
| <b>Mr. Berry</b>  | <b>Aye</b> |
| <b>Mrs. Lowe</b>  | <b>Aye</b> |
| <b>Dr. Moore</b>  | <b>Aye</b> |
| <b>Mr. Morgan</b> | <b>Aye</b> |

**The motion carried.**

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- At this time, Dr Moore reported on a meeting he attended of the Cultural Heritage Commission in Floyd County, Virginia regarding the Heartwood Artisan Center.

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**G. Consideration of scheduling of Council retreat (date and location).**

By consensus, the Council members agreed to hold a work session meeting on Tuesday, November 18<sup>th</sup>, 2008 at 5:30 p.m.

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H. Update on The Mustering Grounds property.

Mrs. Lowe informed the Council members that she had requested that The Mustering Grounds property be added to the work session agenda. She further indicated that the pages included in the Council packet answered the questions she had and that no further discussion was needed on the matter.

No formal action was required by the Council on this matter.

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**I. Consideration of Zoning Ordinance change notification.**

Mrs. Lowe indicated that she would like for the Town to notify all the Town residents that the Town Zoning Ordinance is being reviewed and proposed changes may be recommended that will directly affect Town property owners. Discussion ensued among the Council regarding the best method to notify residents that the review is being conducted and public hearings will follow in the very near future.

**On motion of Mrs. Lowe, seconded by Dr. Moore, the Council directed that Town staff prepare a notice to Town property owners advising them that the Town Zoning Ordinance is currently being reviewed and that proposed changes may directly affect property owners. The Council further directed that appropriate funds be allocated from contingency to cover the costs of mailing such notice.**

**The roll call vote was:**

|                  |            |
|------------------|------------|
| <b>Mr. Berry</b> | <b>Aye</b> |
| <b>Mrs. Lowe</b> | <b>Aye</b> |
| <b>Dr. Moore</b> | <b>Aye</b> |

**Mr. Morgan        Aye**

**The motion carried.**

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At this time, Greg Kelly, Town Manager informed the Council that Assistant Town Attorney, Mrs. Icenhour, had received a proposed deed from William King Regional Arts Center regarding the transfer of property in exchange for the Arts Center purchase of property from the Quetsch's. He indicated that in conjunction with the deed he had received a request for funds in the amount of \$75,000 which had been allocated by Council in the 2007/2008 budget year. He indicated that Council needed to authorize the release of those funds in this year's 2008/2009 budget. Mr. Kelly informed the Council that the Deed does contain language that the Town will begin the road improvement project for Academy Drive within five (5) years from the date of closing on the property.

On motion of Mr. Berry, seconded by Dr. Moore, the Council authorized that funds be appropriated from Council contingency in the amount of \$75,000 to William King Regional Arts Center in consideration of its conveyance to the Town of Abingdon of a parcel of real property consisting of 5.187 acres and adjoining the Abingdon Little League fields, Latture Field, and Sinking Springs Cemetery property. The Council further directed the Town Manager, Greg Kelly, to execute and accept the property with all contingencies contained within the deed.

The roll call vote was:

Mr. Berry Aye
Mrs. Lowe Aye
Dr. Moore Aye
Mr. Morgan Aye

The motion carried.

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By consensus the Council agreed to postpone the remaining agenda items to the November 18<sup>th</sup> work session for consideration.

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On motion of Mrs. Lowe, seconded by Mr. Berry, the meeting was adjourned.

Edward B. Morgan, Vice Mayor

Cecile M. Rosenbaum, Clerk